

TITLE 8. PUBLIC EMPLOYMENT RELATIONS BOARD

NOTICE OF PROPOSED RULEMAKING

The Public Employment Relations Board (Board) proposes to adopt and amend the regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to adopt proposed new sections 32032, 32033, 32034, 32035, 32606, 32607, 32608, 32609, 81000, 81005, 81010, 81020, 81030, 81040, 81050, 81055, 81060, 81065, 81070, 81075, 81080, 81090, 81100, 81105, 81110, 81115, 81120, 81125, 81130, 81135, 81140, 81145, 81150, 81155, 81160, 81165, 81170, 81175, 81180, 81185, 81190, 81200, 81210, 81220, 81240, 81250, 81260, 81270, 81300, 81310, 81320, 81350, 81360, 81370, 81380, 81400, 81410, 81420, 81450, 81460, 81470, 81480, 81600, 81610, 81620, 81630, 91000, 91005, 91010, 91020, 91030, 91040, 91050, 91055, 91060, 91065, 91070, 91075, 91080, 91090, 91100, 91105, 91110, 91115, 91120, 91125, 91130, 91135, 91140, 91145, 91150, 91155, 91160, 91165, 91170, 91175, 91180, 91185, 91190, 91200, 91210, 91220, 91240, 91250, 91260, 91270, 91300, 91310, 91320, 91350, 91360, 91370, 91380, 91400, 91410, 91420, 91450, 91460, 91470, 91480, 91600, 91610, 91620 and 91630, and amend sections 31001, 32020, 32030, 32040, 32050, 32055, 32060, 32075, 32080, 32085, 32090, 32100, 32105, 32120, 32122, 32130, 32132, 32135, 32136, 32140, 32142, 32145, 32147, 32149, 32150, 32155, 32160, 32162, 32164, 32165, 32166, 32168, 32170, 32175, 32176, 32178, 32180, 32185, 32190, 32200, 32205, 32206, 32207, 32209, 32210, 32212, 32215, 32220, 32230, 32295, 32300, 32305, 32310, 32315, 32320, 32325, 32350, 32360, 32370, 32375, 32380, 32400, 32410, 32450, 32455, 32460, 32465, 32470, 32500, 32602, 32605, 32612, 32615, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32645, 32646, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 32980, 32990, 32991, 32992, 32993, 32994, 32995, 32996 and 32997.

Section 31001 provides for meetings of the Public Employment Relations Board. Section 32020 provides a definition for the term “Board.” Section 32030 provides a definition for the term “Board itself.” Proposed section 32032 adopts a definition of “Trial Court Act,” the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.). Proposed section 32033 adopts definitions of terms applicable for cases filed under the Trial Court Act, the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.). Proposed section 32034 adopts a definition of “Court Interpreter Act,” the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.). Proposed section 32035 adopts definitions of terms applicable for cases filed under the Court Interpreter Act, the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.). Section 32040 provides a definition for the term “Executive Director.” Section 32050 provides a definition for the term “General Counsel.” Section 32055 provides a definition for the term “Chief Administrative Law Judge.” Section 32060 provides a definition for the term “headquarters office.” Section 32075

provides a definition for the term “regional office.” Section 32080 provides a definition for the term “day.” Section 32085 provides definitions for the term “workday” under each of the statutes administered by PERB. Section 32090 provides for filing by facsimile machine. Section 32100 provides for when regulations contained in Chapter 1 apply to PERB proceedings. Section 32105 provides for the severability of PERB’s regulations. Section 32120 provides for the filing of collective bargaining agreements. Section 32122 specifies in which “regional office” certain representation filings should be made. Section 32130 addresses the computation of time for filing. Section 32132 concerns the requirements for an extension of time in which to file documents with the Board. Section 32135 concerns filing requirements. Section 32136 concerns late filing requirements. Section 32140 concerns service requirements. Section 32142 concerns designation of recipients for service and filing. Section 32145 concerns waiver of time period requirements for filing. Section 32147 provides for expediting matters before the Board. Section 32149 concerns issues of investigative subpoenas. Section 32150 concerns issuance of subpoenas. Section 32155 concerns circumstances under which a Board agent or Board member will be disqualified to hear a case. Section 32160 concerns the taking of depositions. Section 32162 concerns the confidentiality of Board investigations. Section 32164 concerns an application for joinder. Section 32165 concerns applications to join a representation hearing as a limited party. Section 32166 concerns applications to join a representation hearing as a full party. Section 32168 concerns the conduct of hearings. Section 32170 concerns the powers and authority of a Board agent conducting a hearing. Section 32175 concerns the rules of evidence in a representation case. Section 32176 concerns the rules of evidence in unfair practice cases. Section 32178 concerns the burden of proof in unfair practice cases. Section 32180 addresses the rights of parties in PERB hearings. Section 32185 concerns ex parte communications with Board agents. Section 32190 concerns filing and rulings on motions. Section 32200 concerns the appeal of rulings on motions and other interlocutory matters. Section 32205 concerns requests for continuances. Section 32206 concerns the production of statements of witnesses after testimony. Section 32207 concerns the stipulation of facts for purposes of hearings. Section 32209 addresses the procedure for correction of hearing transcripts. Section 32210 concerns the filing of informational briefs. Section 32212 concerns briefs and oral argument. Section 32215 concerns issuance of proposed decisions. Section 32220 concerns contemptuous conduct by a party or a party’s agent. Section 32230 concerns the refusal of a witness to testify. Section 32295 concerns ex parte communications with members of the Board itself, or legal advisers to Board members. Section 32300 concerns the filing of exceptions to Board agent decisions. Section 32305 provides that proposed decisions become final if no timely exceptions are filed. Section 32310 provides for the filing of responses to exceptions. Section 32315 provides for oral argument on exceptions. Section 32320 concerns issuance of decisions by the Board itself. Section 32325 concerns the remedial powers of the Board. Section 32350 provides a definition of administrative decisions. Section 32360 concerns requirements for appeals of administrative decisions. Section 32370 concerns requests for a stay. Section 32375 provides for responses to administrative appeals. Section 32380 provides for administrative decisions that are not appealable. Section 32400 provides that a motion for reconsideration is not required in order to exhaust administrative remedies. Section 32410 provides for the filing of requests for reconsideration. Section 32450 concerns the filing of requests for injunctive relief. Section 32455 concerns the investigation of requests for injunctive relief. Section 32460 provides for recommendations by the General Counsel concerning requests for

injunctive relief. Section 32465 provides for decisions by the Board itself concerning requests for injunctive relief. Section 32470 addresses the authority of the General Counsel concerning requests for injunctive relief where a quorum of the Board itself is unavailable. Section 32500 provides for requests for judicial review concerning representation cases. Section 32602 provides for the processing of unfair practice charges. Section 32605 concerns the number of copies of unfair practice charges required for filing. Proposed section 32606 defines employer unfair practices under the Trial Court Governance and Employment Protection Act (Trial Court Act). Proposed section 32607 defines employee organization unfair practices under the Trial Court Governance and Employment Protection Act (Trial Court Act). Proposed section 32608 defines employer unfair practices under the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act). Proposed section 32609 defines employee organization unfair practices under the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act). Section 32612 specifies in which “regional office” unfair practice charge filings should be made. Section 32615 concerns the information required to be included in an unfair practice charge. Section 32620 concerns the processing of unfair practice charges, including the Board’s policy on deferral to arbitration. Section 32621 concerns the amending of unfair practice charges. Section 32625 concerns the withdrawal of unfair practice charges. Section 32630 concerns the dismissal of unfair practice charges. Section 32635 provides for the appeal of dismissals of unfair practice charges. Section 32640 concerns the issuance of complaints in unfair practice charge cases. Section 32644 provides for the filing of an answer in unfair practice charges where a complaint issues. Section 32645 concerns non-prejudicial errors in unfair practice charges and related documents. Section 32646 concerns defenses to complaints issued in unfair practice charge cases. Section 32647 concerns amendments to complaints in unfair practice charge cases before hearing. Section 32648 concerns amendments to complaints in unfair practice charge cases during a hearing. Section 32649 concerns the filing of answers to amendments to complaints in unfair practice charge cases. Section 32650 concerns the conduct of informal settlement conferences in unfair practice charge cases. Section 32661 concerns the filing of repugnancy claims regarding unfair practice charge cases deferred to arbitration. Section 32680 concerns the conduct of hearings on unfair practice charges. Section 32690 concerns notice of hearing in unfair practice charge cases. Section 32980 provides for the enforcement of compliance with final decisions of the Board. Section 32990 defines the term “agency fee” for purposes of these regulations and identifies the statutory provisions establishing agency fee under PERB’s jurisdiction. Section 32991 concerns limits on the amount of “agency fee.” Section 32992 describes requirements for notification to nonmembers regarding “agency fee.” Section 32993 describes financial reporting requirements applicable to exclusive representatives that implement agency fees. Section 32994 concerns agency fee appeal procedure requirements. Section 32995 describes requirements concerning the escrow of agency fee amounts that are in dispute. Section 32996 provides for the filing of Agency Fee Appeals Procedures by exclusive representatives that receive agency fees. Section 32997 provides that violation of Sections 32990 through 32996 is an unfair practice. Proposed section 81000 concerns the application of regulations. Proposed section 81005 defines the term "parties" under proposed Chapter 7. Proposed section 81010 defines the term "window period" under proposed Chapter 7. Proposed section 81020 describes requirements for proof of support. Proposed section 81030 allows the withdrawal of a petition. Proposed section 81040 provides for the conduct of an informal settlement conference. Proposed section 81050 provides for a notice of hearing. Proposed section 81055

concerns the conduct of a hearing and the issuance of a proposed decision. Proposed section 81060 provides for the issuance of an administrative decision. Proposed section 81065 provides for elections and consent units. Proposed section 81070 concerns decisions of the Board itself. Proposed section 81075 provides for the issuance of a notice of decision. Proposed section 81080 concerns the conduct of elections and eligibility to appear on ballot. Proposed section 81090 provides for voluntary recognition. Proposed section 81100 concerns the authority to conduct elections. Proposed section 81105 concerns the ballot. Proposed section 81110 concerns directed election orders, consent election agreements and notices of elections. Proposed section 81115 addresses the issue of a voter list. Proposed section 81120 concerns voter eligibility. Proposed section 81125 concerns election observers. Proposed section 81130 concerns challenges to voter eligibility. Proposed section 81135 provides for a tally of ballots. Proposed section 81140 provides for the resolution of challenges to voter eligibility. Proposed section 81145 provides for runoff elections. Proposed section 81150 provides for the filing of objections to an election. Proposed section 81155 describes powers and duties of a Board agent concerning objections. Proposed section 81160 provides for the withdrawal of objections. Proposed section 81165 provides for hearings on objections and challenges. Proposed section 81170 addresses the filing of exceptions to a decision on objections or challenges. Proposed section 81175 provides for a revised tally of ballots. Proposed section 81180 provides for objections to a revised tally of ballots. Proposed section 81185 provides for a certification of the results of an election or certification of exclusive representative. Proposed section 81190 concerns a request for stay of election. Proposed section 81200 concerns bars to the conduct of an election. Proposed section 81210 provides for the filing of a petition for certification. Proposed section 81220 concerns the posting of a notice of a petition for certification. Proposed section 81240 provides for the determination of proof of support for a petition. Proposed section 81250 provides for the employer response regarding a petition for certification. Proposed section 81260 concerns an amendment to a petition for certification. Proposed section 81270 concerns the investigation of a petition for certification. Proposed section 81300 provides for the filing of a petition for amendment of certification. Proposed section 81310 provides for the filing of an employer response to a petition for amendment of certification. Proposed section 81320 concerns the investigation of a petition for amendment of certification. Proposed section 81350 provides for the filing of a decertification petition. Proposed section 81360 concerns the posting of notice of a decertification petition. Proposed section 81370 addresses the proof of support determination for a decertification petition. Proposed section 81380 concerns the investigation and conduct of an election concerning a decertification petition. Proposed section 81400 provides for the filing of a severance petition. Proposed section 81410 concerns responses to severance petitions. Proposed section 81420 concerns the investigation of a severance petition. Proposed section 81450 provides for the filing of a unit modification petition. Proposed section 81460 provides for a response to a unit modification petition. Proposed section 81470 addresses the issue of proof of support submitted with a unit modification petition. Proposed section 81480 describes possible dispositions of unit modification petitions. Proposed section 81600 provides for the filing of a petition to rescind an agency shop agreement or provision. Proposed section 81610 concerns the proof of support determination for a rescission petition. Proposed section 81620 concerns the conduct of an election on a rescission petition. Proposed section 81630 describes when a bar to the filing of a rescission petition would exist. Proposed section 91000 concerns the application of regulations. Proposed section 91005 defines the

term "parties" under proposed Chapter 8. Proposed section 91010 defines the term "window period" under proposed Chapter 8. Proposed section 91020 describes requirements for proof of support. Proposed section 91030 allows the withdrawal of a petition. Proposed section 91040 provides for the conduct of an informal settlement conference. Proposed section 91050 provides for a notice of hearing. Proposed section 91055 concerns the conduct of a hearing and the issuance of a proposed decision. Proposed section 91060 provides for the issuance of an administrative decision. Proposed section 91065 provides for elections and consent units. Proposed section 91070 concerns decisions of the Board itself. Proposed section 91075 provides for the issuance of a notice of decision. Proposed section 91080 concerns the conduct of elections and eligibility to appear on ballot. Proposed section 91090 provides for voluntary recognition. Proposed section 91100 concerns the authority to conduct elections. Proposed section 91105 concerns the ballot. Proposed section 91110 concerns directed election orders, consent election agreements and notices of elections. Proposed section 91115 addresses the issue of a voter list. Proposed section 91120 concerns voter eligibility. Proposed section 91125 concerns election observers. Proposed section 91130 concerns challenges to voter eligibility. Proposed section 91135 provides for a tally of ballots. Proposed section 91140 provides for the resolution of challenges to voter eligibility. Proposed section 91145 provides for runoff elections. Proposed section 91150 provides for the filing of objections to an election. Proposed section 91155 describes powers and duties of a Board agent concerning objections. Proposed section 91160 provides for the withdrawal of objections. Proposed section 91165 provides for hearings on objections and challenges. Proposed section 91170 addresses the filing of exceptions to a decision on objections or challenges. Proposed section 91175 provides for a revised tally of ballots. Proposed section 91180 provides for objections to a revised tally of ballots. Proposed section 91185 provides for a certification of the results of an election or certification of exclusive representative. Proposed section 91190 concerns a request for stay of election. Proposed section 91200 concerns bars to the conduct of an election. Proposed section 91210 provides for the filing of a petition for certification. Proposed section 91220 concerns the posting of a notice of a petition for certification. Proposed section 91240 provides for the determination of proof of support for a petition. Proposed section 91250 provides for the employer response regarding a petition for certification. Proposed section 91260 concerns an amendment to a petition for certification. Proposed section 91270 concerns the investigation of a petition for certification. Proposed section 91300 provides for the filing of a petition for amendment of certification. Proposed section 91310 provides for the filing of an employer response to a petition for amendment of certification. Proposed section 91320 concerns the investigation of a petition for amendment of certification. Proposed section 91350 provides for the filing of a decertification petition. Proposed section 91360 concerns the posting of notice of a decertification petition. Proposed section 91370 addresses the proof of support determination for a decertification petition. Proposed section 91380 concerns the investigation and conduct of an election concerning a decertification petition. Proposed section 91400 provides for the filing of a severance petition. Proposed section 91410 concerns responses to severance petitions. Proposed section 91420 concerns the investigation of a severance petition. Proposed section 91450 provides for the filing of a unit modification petition. Proposed section 91460 provides for a response to a unit modification petition. Proposed section 91470 addresses the issue of proof of support submitted with a unit modification petition. Proposed section 91480 describes possible dispositions of unit modification petitions. Proposed section 91600 provides for the filing of a

petition to rescind an agency shop agreement or provision. Proposed section 91610 concerns the proof of support determination for a rescission petition. Proposed section 91620 concerns the conduct of an election on a rescission petition. Proposed section 91630 describes when a bar to the filing of a rescission petition would exist.

PUBLIC HEARING

The Board will hold a public hearing at 10:00 a.m., on February 10, 2005, in Room 103 of its headquarters building, located at 1031 18th Street, Sacramento, California. Room 103 is wheelchair accessible. At the hearing, any person may orally present statements or arguments relevant to the proposed action described in the Informative Digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony at the hearing. Any person wishing to testify at the hearing is requested to notify the Office of the General Counsel as early as possible by calling (916) 322-3198 to permit the orderly scheduling of witnesses and to permit arrangements for an interpreter to be made if necessary.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comment relevant to the proposed regulatory action to the Board. The written comment period closes at 5:00 p.m. on February 4, 2005. Written comments will also be accepted at the public hearing. Submit written comments to:

Robert Thompson
General Counsel
Public Employment Relations Board
1031 18th Street
Sacramento, CA 95184
FAX: (916) 327-6377
E-mail: RThompson@perb.ca.gov

AUTHORITY AND REFERENCE

Pursuant to Government Code section 3541.3(g), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Educational Employment Relations Act (EERA). Pursuant to Government Code sections 3509(a) and 3541.3(g), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Meyers-Milias-Brown Act (MMBA). Government Code section 3513(h) authorizes the Board to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Ralph C. Dills Act (Dills Act). Government Code section 3563 authorizes the Board to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Higher Education Employer-Employee Relations Act (HEERA). Pursuant to Public Utilities Code section 99561(f), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the

purposes and policies of the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA). Pursuant to Government Code sections 3541.3(g) and 71639.1(b), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Governance and Employment Protection Act (Trial Court Act). Pursuant to Government Code sections 3541.3(g) and 71825(b), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act).

General reference for section 31001 of the Board's regulations: Sections 3509, 3513(h), 3541.3, 3563, 71639.1 and 71825, Government Code, and Section 99561, Public Utilities Code. General reference for section 32020 of the Board's regulations: Sections 3501(f), 3509, 3513(h), 3540.1(a), 3541, 3562(b), 71639.1(a) and 71825(a), Government Code, and Section 99560.1(b), Public Utilities Code. General reference for section 32030 of the Board's regulations: Sections 3501(f), 3509, 3513(h), 3540.1(a), 3541, 3562(b), 71639.1(a) and 71825(a), Government Code, and Section 99560.1(b), Public Utilities Code. General reference for section 32032 of the Board's regulations: Section 71600, Government Code. General reference for section 32033 of the Board's regulations: Sections 70200 through 70219, 71601(h), (k) and 71636, Government Code. General reference for section 32034 of the Board's regulations: Section 71800, Government Code. General reference for section 32035 of the Board's regulations: Sections 70200 through 70219, 71801(g), (h), 71807 and 71823, Government Code. General reference for section 32040 of the Board's regulations: Section 3541(f), Government Code. General reference for section 32050 of the Board's regulations: Section 3541(f), Government Code. General reference for section 32055 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3563(j), 71639.1 and 71825, Government Code, and Section 99561(j), Public Utilities Code. General reference for section 32060 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32075 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32080 of the Board's regulations: Sections 3509, 3541.3(n), 3563(m), 3513(h), 3541.3(g), 3563(f), 71639.1 and 71825, Government Code, and Section 99561(f), Public Utilities Code. General reference for section 32085 of the Board's regulations: Sections 3509, 3541.3(n), 3563(m), 3513(h), 3541.3(g), 3563(f), 71639.1 and 71825, Government Code, and Section 99561(f), Public Utilities Code. General reference for section 32090 of the Board's regulations: Sections 3509, 3513, 3514.5, 3541.3, 3541.5, 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. General reference for section 32100 of the Board's regulations: Sections 3507, 3507.1, 3507.5, 3508, 3509, 3513(h), 3541.3, 3563, 71636, 71636.3, 71637.1, 71639.1, 71823 and 71825, Government Code, and Section 99561, Public Utilities Code. General reference for section 32105 of the Board's regulations: Sections 3509, 3513(h), 3541.3, 3563, 71639.1 and 71825, Government Code, and Section 99561, Public Utilities Code. General reference for section 32120 of the Board's regulations: Sections 3509, 3513(h), 3524, 3541.3(n), 3563(m), 3541.3(f), (g), 71639.1 and 71825 Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32122 of the Board's regulations: Sections 3509, 3541.3(n), 71639.1, 71807 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General

reference for section 32130 of the Board's regulations: Sections 12, 12(a) and 1013(a), Code of Civil Procedure. General reference for section 32132 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32135 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32136 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code; and Sections 12, 12(a) and 1013, Code of Civil Procedure; and Section 99561(m), Public Utilities Code. General reference for section 32140 of the Board's regulations: Sections 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32142 of the Board's regulations: Sections 3501(c), 3513(j), 3541.3(n), 3563(m), 71601(k), 71639.1, 71801(h), 71807 and 71825, Government Code, and Section 99560.1(g), (h) Public Utilities Code. General reference for section 32145 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32147 of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1 and 71825, Government Code, and Section 99561(m), Public Utilities Code. General reference for section 32149 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32150 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32155 of the Board's regulations: Sections 3509, 3513, 3520, 3541.3, 3542, 3563, 3564, 71639.1, 71639.4, 71825 and 71825.1, Government Code, and Sections 99561 and 99562, Public Utilities Code. General reference for section 32160 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32162 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32164 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32165 of the Board's regulations: Sections 3509, 3513(h), 3541.3(a), (b), (h), (l), (m), (n), 3563(a), (c), (g), (k), (l), 71639.1 and 71825, Government Code, and Section 99561(a), (c), (g), (k), (l), Public Utilities Code. General reference for section 32166 of the Board's regulations: Sections 3509, 3513(h), 3541.3(a), (b), (h), (l), (m), (n), 3563(a), (c), (g), (k), (l), 71639.1 and 71825, Government Code, and Section 99561(a), (c), (g), (k), (l), Public Utilities Code. General reference for section 32168 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), (k), 3563(g), (j), 71639.1 and 71825, Government Code, and Section 99561(g), (j), Public Utilities Code. General reference for section 32170 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), (k), 3563(g), (j), 71639.1 and 71825, Government Code, and Section 99561(g), (j), Public Utilities Code. General reference for section 32175 of the Board's regulations: Sections 3509, 3513(h), 3541.3(a), (b), (h), (l), (m), 3563(a), (c), (g), (k), (l), 71639.1 and 71825, Government Code, and Section 99561(a), (c), (g), (k), (l), Public Utilities Code. General reference for section 32176 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), (i), 3563(g), (h), 71639.1 and 71825, Government Code, and Section 99561(g), (h), Public Utilities Code. General reference for section 32178 of the Board's regulations: Sections 3509, 3513(h),

3541.3(h), (i), 3563(g), (h), 71639.1 and 71825, Government Code, and Section 99561(g), (h), Public Utilities Code. General reference for section 32180 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32185 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), (i), and (n), 3563(g), (h) and (m), 71639.1 and 71825, Government Code, and Section 99561(g), (h) and (m), Public Utilities Code. General reference for section 32190 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32200 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32205 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32206 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32207 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32209 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32210 of the Board's regulations: Sections 3509, 3513(h), 3541.3 (a), (b), (e), (g), (h), (i), (l), (m), (n), 3563 (a), (b), (e), (f), (g), (h), (k), (l), (m), 71639.1 and 71825, Government Code, and Section 99561, Public Utilities Code. General reference for section 32212 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32215 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32220 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32230 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1 and 71825, Government Code, and Section 99561(g), Public Utilities Code. General reference for section 32295 of the Board's regulations: Sections 3509, 3513, 3514.5, 3541.3, 3541.5, 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. General reference for section 32300 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32305 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32310 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32315 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32320 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3541.3(k), (n), 3563(j), (m), 3563.2, 11425.60, 71639.1 and 71825, Government Code, and Sections 99561(j), (m) and 99561.2, Public Utilities Code. General reference for section 32325 of the Board's regulations: Sections 3509, 3514.5(c), 3520, 3541.5(c), 3542, 3563.3, 3564, 71639.1, 71639.4, 71825 and 71825.1, Government Code,

Section 99561(f), Public Utilities Code, and *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608. General reference for section 32350 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32360 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32370 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32375 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32380 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32400 of the Board's regulations: Sections 3509, 3520, 3542, 3564, 71639.4 and 71825.1, Government Code, and Section 99562, Public Utilities Code. General reference for section 32410 of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), (n), 3563(j), (m), 71639.1 and 71825, Government Code, and Section 99561(j), (m), Public Utilities Code. General reference for section 32450 of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), (n), 3563(i), 71639.1 and 71825, Government Code, and Section 99561(i), Public Utilities Code. General reference for section 32455 of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), 3563(i), 71639.1 and 71825, Government Code, and Section 99561(i), Public Utilities Code. General reference for section 32460 of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), (n), 3563(i), (m), 71639.1 and 71825, Government Code, and Section 99561(i), (m), Public Utilities Code. General reference for section 32465 of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), (n), 3563(i), (m), 71639.1 and 71825, Government Code, and Section 99561(i), (m), Public Utilities Code. General reference for section 32470 of the Board's regulations: Sections 3509, 3513(h), 3541(f), (g), 3541.3(j), (k), 3563(i), (j), 71639.1 and 71825, Government Code, and Section 99561(i), (j), Public Utilities Code. General reference for section 32500 of the Board's regulations: Sections 3509, 3520, 3542, 3564, 71639.4 and 71825.1, Government Code, and Section 99562, Public Utilities Code. General reference for section 32602 of the Board's regulations: Sections 3509, 3514.5, 3524, 3541.5, 3563.2, 71636, 71636.3, 71637.1, 71639.1, 71823 and 71825, Government Code, and Sections 99561(h) and 99561.2, Public Utilities Code. General reference for section 32605 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3541.3(i), 3541.5, 3563(h), 3563.2, 71639.1 and 71825, Government Code, and Sections 99561(h) and 99561.2, Public Utilities Code. General reference for section 32606 of the Board's regulations: Sections 71630 through 71639.5, Government Code. General reference for section 32607 of the Board's regulations: Sections 71636, 71636.3, 71637.1, 71639.1 and 71639.3, Government Code. General reference for section 32608 of the Board's regulations: Section 71800 et seq., Government Code. General reference for section 32609 of the Board's regulations: Sections 71823 and 71825, Government Code. General reference for section 32612 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3541.3(i), 3541.5, 3563(h), 3563.2, 71639.1, 71807 and 71825, Government Code, and Sections 99561(h) and 99561.2, Public Utilities Code. General reference for section 32615 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference

for section 32620 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code, and Firefighters Union, Local 1186 v. City of Vallejo (1974) 12 Cal.3d 608. General reference for section 32621 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32625 of the Board's regulations: Sections 3509, 3513, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32630 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32635 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32640 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32644 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32645 of the Board's regulations: Sections 3509, 3514.5(a), 3541.5(a), 3563.2, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32646 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32647 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32648 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(g), (h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32649 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Section 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32650 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32661 of the Board's regulations: Sections 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 3589, 71639.1 and 71825, Government Code, and Sections 99561(h), 99561.2, 99563.7, 99563.8 and 99567, Public Utilities Code. General reference for section 32680 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections

99561(g), (h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32690 of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3519, 3519.5, 3541.3(i), 3541.5, 3543.5, 3543.6, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 71639.1 and 71825, Government Code, and Sections 99561(g), (h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for section 32980 of the Board's regulations: Sections 3509, 3509.5, 3514.5(c), 3520, 3541.5(c), 3542, 3563.3, 3564, 71639.1, 71639.4, 71825 and 71825.1, Government Code, and Sections 99561.3 and 99562, Public Utilities Code, and Firefighters Union, Local 1186 v. City of Vallejo (1974) 12 Cal.3d 608. General reference for section 32990 of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5 and 71814, Government Code; Section 99566.1, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32991 of the Board's regulations: Sections 3502.5(a), 3513(k), 3540.1(i), 3543, 3546, 3583.5(a), 71632.5 and 71814, Government Code; Section 99566.1, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32992 of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5 and 71814, Government Code; Section 99566.1, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32993 of the Board's regulations: Sections 3502.5, 3515.7(e), 3546.5, 3584(b), 3587, 71632.5 and 71814, Government Code; Sections 99566.1 and 99566.3; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32994 of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5 and 71814, Government Code; Section 99566.1, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32995 of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5 and 71814, Government Code; Section 99566.1, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32996 of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5 and 71814, Government Code; Section 99566.1, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 32997 of the Board's regulations: Sections 3502.5, 3515.7, 3519.5, 3540.1(i), 3542(d), 3543.6, 3543, 3546, 3546.5, 3563.2, 3564(d), 3571.1, 3583.5, 71632.5 and 71814, Government Code; Sections 99563.8, 99566.1 and 99566.3, Public Utilities Code; and Chicago Teachers Union, Local No. 1 v. Hudson (1986) 475 U.S. 292. General reference for section 81000 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81005 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81010 of the Board's regulations: Sections 3541.3, 6700, 6701, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81020 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81030 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81040 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81050 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1, Government Code. General reference for section 81055 of the Board's regulations: Sections 3541.3, 71632.5, 71636, 71636.3, 71637, 71637.1 and 71639.1,

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3541.3, 71823 and 71825, Government Code. General reference for section 91320 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91350 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91360 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91370 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91380 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91400 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91410 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91420 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91450 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91460 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91470 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91480 of the Board's regulations: Sections 3541.3, 71823 and 71825, Government Code. General reference for section 91600 of the Board's regulations: Sections 3541.3, 71814, 71823 and 71825, Government Code. General reference for section 91610 of the Board's regulations: Sections 3541.3, 71814, 71823 and 71825, Government Code. General reference for section 91620 of the Board's regulations: Sections 3541.3, 71814, 71823 and 71825, Government Code. General reference for section 91630 of the Board's regulations: Sections 3541.3, 71814 and 71825, Government Code.

POLICY STATEMENT OVERVIEW

Effective August 16, 2004, as a result of the enactment of Senate Bill 1102 (Chapter 227, Statutes of 2004), the Public Employment Relations Board (PERB or Board) acquired responsibility for the administration and enforcement of the Trial Court Governance and Employment Protection Act (found at Government Code section 71600 et seq.), covering trial courts and trial court employees) and the Trial Court Interpreter Employment and Labor Relations Act (found at Government Code section 71800 et seq.), covering trial courts, regional interpreter employment relations committees, and trial court interpreters. These new statutory enactments require extensive amendments to existing regulations as well as the adoption of new Chapters 7 and 8 in order to fully implement PERB's jurisdiction.

INFORMATIVE DIGEST

Section 31001 provides for meetings of the Public Employment Relations Board. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32020 provides a definition for the term "Board." The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the

Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32030 provides a definition for the term “Board itself.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Proposed Section 32032 adopts a definition of “Trial Court Act,” the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed Section 32033 adopts definitions of terms applicable for cases filed under the Trial Court Act, the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed Section 32034 adopts a definition of “Court Interpreter Act,” the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed Section 32035 adopts definitions of terms applicable for cases filed under the Court Interpreter Act, the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Section 32040 provides a definition for the term “Executive Director.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32050 provides a definition for the term “General Counsel.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32055 provides a definition for the term “Chief Administrative Law Judge.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32060 provides a definition for the term “headquarters office.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32075 provides a definition for the term “regional office.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32080 provides a definition for the term “day.” The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32085 provides definitions for the term “workday” under each of the statutes administered by PERB. Proposed new subsections (f) and (g) provide a “workday” definition under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32090 provides for filing by facsimile machine. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32100 provides for when regulations contained in Chapter 1 apply to PERB proceedings. Proposed new subsections (d) and (e) provide for the application of these regulations in matters arising under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32105 provides for the severability of PERB’s regulations. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32120 provides for the filing of collective bargaining agreements. Proposed new language provides for the application of this section to employers under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32122 currently specifies in which “regional office” representation filings should be made, except for filings under the Ralph C. Dills Act (Government Code section 3512 et seq.) and the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.). Proposed new language, and revisions to authority and reference citations, provide for application of this section to both the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004), and to clarify its application under the Court Interpreter Act.

Section 32130 addresses the computation of time for filing. Proposed new language provides for the application of this section to parties under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32132 concerns the requirements for an extension of time in which to file documents with the Board. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32135 concerns filing requirements. Proposed new language provides for the application of this section to parties under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32136 concerns late filing requirements. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32140 concerns service requirements. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32142 concerns designation of recipients for service and filing. The proposed changes amend the text, as well as authority and reference citations, to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32145 concerns waiver of time period requirements for filing. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32147 provides for expediting matters before the Board. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32149 concerns issuance of investigative subpoenas. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32150 concerns issuance of subpoenas. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32155 concerns circumstances under which a Board agent or Board member will be disqualified to hear a case. The proposed changes amend the text, as well as authority and reference citations, to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32160 concerns the taking of depositions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32162 concerns the confidentiality of Board investigations. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32164 concerns an application for joinder. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32165 concerns applications to join a representation hearing as a limited party. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32166 concerns applications to join a representation hearing as a full party. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32168 concerns the conduct of hearings. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32170 concerns the powers and authority of a Board agent conducting a hearing. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32175 concerns the rules of evidence in a representation case. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32176 concerns the rules of evidence in unfair practice cases. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32178 concerns the burden of proof in unfair practice cases. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32180 addresses the rights of parties in PERB hearings. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32185 concerns ex parte communications with Board agents. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32190 concerns filing and rulings on motions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32200 concerns the appeal of rulings on motions and other interlocutory matters. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32205 concerns requests for continuances. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32206 concerns the production of statements of witnesses after testimony. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32207 concerns the stipulation of facts for purposes of hearings. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32209 addresses the procedure for correction of hearing transcripts. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32210 concerns the filing of informational briefs. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32212 concerns briefs and oral argument. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32215 concerns issuance of proposed decisions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32220 concerns contemptuous conduct by a party or a party's agent. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32230 concerns the refusal of a witness to testify. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32295 concerns ex parte communications with members of the Board itself, or legal advisers to Board members. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32300 concerns the filing of exceptions to Board agent decisions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32305 provides that proposed decisions become final if no timely exceptions are filed. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32310 provides for the filing of responses to exceptions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32315 provides for oral argument on exceptions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32320 concerns issuance of decisions by the Board itself. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32325 concerns the remedial powers of the Board. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32350 provides a definition of administrative decisions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32360 concerns requirements for appeals of administrative decisions. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32370 concerns requests for a stay. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32375 provides for responses to administrative appeals. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32380 provides for administrative decisions that are not appealable. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32400 provides that a motion for reconsideration is not required in order to exhaust administrative remedies. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32410 provides for the filing of requests for reconsideration. The proposed changes update authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32450 concerns the filing of requests for injunctive relief. The proposed changes amend the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32455 concerns the investigation of requests for injunctive relief. The proposed changes amend the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32460 provides for recommendations by the General Counsel concerning requests for injunctive relief. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32465 provides for decisions by the Board itself concerning requests for injunctive relief. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32470 addresses the authority of the General Counsel concerning requests for injunctive relief where a quorum of the Board itself is unavailable. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32500 provides for requests for judicial review concerning representation cases. The proposed changes amend the text as well as authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment

Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32602 provides for the processing of unfair practice charges. The proposed changes amend both the text and the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32605 concerns the number of copies of unfair practice charges required for filing. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Proposed Section 32606 describes unfair practices by a trial court under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.), or Trial Court Act. Government Code section 71639.1(c) provides that PERB shall process alleged violations of the Trial Court Act and rules and regulations adopted by a trial court pursuant to Section 71636 as unfair practices. Because the section does not specifically identify the types of acts which might be considered to be unfair practices, parties operating under the act are left without guidance about how to operate within the meaning of the law. Section 32606 prohibits the types of conduct which have been traditionally identified as unfair practices under other labor relations laws, including the Meyers-Milias-Brown Act (Government Code section 3500 et seq.). Without such rules, PERB's only method for identifying the types of conduct that constitute unfair practices will be through case by case deliberation. Such an approach would leave the parties without guidance for a long period of time.

Proposed section 32607 describes unfair practices by an employee organization under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.), or Trial Court Act. Government Code section 71639.1(c) provides that PERB shall process alleged violations of the Trial Court Act and rules and regulations adopted by a trial court pursuant to Section 71636 as unfair practices. Because the section does not specifically identify the types of acts which might be considered to be unfair practices, parties operating under the act are left without guidance about how to operate within the meaning of the law. Section 32607 prohibits the types of conduct which have been traditionally identified as unfair practices under other labor relations laws, including the Meyers-Milias-Brown Act (Government Code section 3500 et seq.). Without such rules, PERB's only method for identifying the types of conduct that constitute unfair practices will be through case by case deliberation. Such an approach would leave the parties without guidance for a long period of time.

Proposed Section 32608 describes unfair practices by an employer under the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), or Court Interpreter Act. Government Code section 71825(c) provides that PERB shall process alleged violations of the Court Interpreter Act and rules and regulations adopted by a regional court interpreter employment relations committee pursuant to Section 71823 as unfair practices. Because the section does not specifically identify the types of acts which might be considered to be unfair practices, parties operating under the act are left without guidance about how to operate within the meaning of the law. Section 32608 prohibits the types of conduct which have been traditionally identified as unfair practices under other labor relations laws, including the Meyers-Milius-Brown Act (Government Code section 3500 et seq.). Without such rules, PERB's only method for identifying the types of conduct that constitute unfair practices will be through case by case deliberation. Such an approach would leave the parties without guidance for a long period of time.

Proposed section 32609 describes unfair practices by an employee organization under the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), or Court Interpreter Act. Government Code section 71825(c) provides that PERB shall process alleged violations of the Court Interpreter Act and rules and regulations adopted by a regional court interpreter employment relations committee pursuant to Section 71823 as unfair practices. Because the section does not specifically identify the types of acts which might be considered to be unfair practices, parties operating under the act are left without guidance about how to operate within the meaning of the law. Section 32609 prohibits the types of conduct which have been traditionally identified as unfair practices under other labor relations laws, including the Meyers-Milius-Brown Act (Government Code section 3500 et seq.). Without such rules, PERB's only method for identifying the types of conduct that constitute unfair practices will be through case by case deliberation. Such an approach would leave the parties without guidance for a long period of time.

Section 32612 specifies in which “regional office” unfair practice charge filings should be made. Proposed new language, and revisions to authority and reference citations, provide for application of this section to both the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004), and to clarify its application under the Court Interpreter Act.

Section 32615 concerns the information required to be included in an unfair practice charge. The proposed changes amend the text as well as the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32620 concerns the processing of unfair practice charges, including the Board’s policy on deferral to arbitration. The proposed changes amend the text and the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the

Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32621 concerns the amending of unfair practice charges. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32625 concerns the withdrawal of unfair practice charges. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32630 concerns the dismissal of unfair practice charges. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32635 provides for the appeal of dismissals of unfair practice charges. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32640 concerns the issuance of complaints in unfair practice charge cases. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32644 provides for the filing of an answer in unfair practice charges where a complaint issues. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32645 concerns non-prejudicial errors in unfair practice charges and related documents. The proposed changes amend authority and reference citations to reflect the

extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32646 concerns defenses to complaints issued in unfair practice charge cases. The proposed changes amend the text as well as authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32647 concerns amendments to complaints in unfair practice charge cases before hearing. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32648 concerns amendments to complaints in unfair practice charge cases during a hearing. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32649 concerns the filing of answers to amendments to complaints in unfair practice charge cases. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32650 concerns the conduct of informal settlement conferences in unfair practice charge cases. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32661 concerns the filing of repugnancy claims regarding unfair practice charge cases deferred to arbitration. The proposed changes amend the text and the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32680 concerns the conduct of hearings on unfair practice charges. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32690 concerns notice of hearing in unfair practice charge cases. The proposed changes amend authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32980 provides for the enforcement of compliance with final decisions of the Board. The proposed changes update the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32990 defines the term “agency fee” for purposes of these regulations and identifies the statutory provisions establishing agency fee under PERB’s jurisdiction. The proposed changes update both the text and the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32991 concerns limits on the amount of “agency fee.” The proposed changes update both the text and the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32992 describes requirements for notification to nonmembers regarding “agency fee.” The proposed changes update the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32993 describes financial reporting requirements applicable to exclusive representatives that implement agency fees. The proposed changes update both the text and

the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32994 concerns agency fee appeal procedure requirements. The proposed changes update the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32995 describes requirements concerning the escrow of agency fee amounts that are in dispute. The proposed changes update the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32996 provides for the filing of Agency Fee Appeals Procedures by exclusive representatives that receive agency fees. The proposed changes update the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Section 32997 provides that violation of Sections 32990 through 32996 is an unfair practice. The proposed changes update the authority and reference citations to reflect the extension of Board responsibility to include the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.) and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), pursuant to Senate Bill 1102 (Chapter 227, Statutes of 2004).

Proposed section 81000 describes the circumstances under which the Board would conduct representation proceedings and/or agency fee rescission elections under the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.), as set forth in Chapter 7.

Proposed section 81005 defines the term "parties" under proposed Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81010 defines the term "window period" under proposed Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81020 describes requirements for proof of support under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81030 allows the withdrawal of a petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81040 provides for the conduct of an informal settlement conference under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81050 provides for a notice of hearing under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81055 concerns the conduct of a hearing and the issuance of a proposed decision under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81060 provides for the issuance of an administrative decision under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81065 provides for elections in consent units under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81070 concerns decisions of the Board itself and provides that procedures under Chapter 7 shall conform to those set forth in Chapter 1 of the Board's regulations.

Proposed section 81075 provides for the issuance of a notice of decision under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81080 concerns the conduct of elections and eligibility to appear on ballot under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81090 provides for “card check” recognition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81100 concerns the authority to conduct elections under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81105 concerns the ballot under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81110 concerns directed election orders, consent election agreements and notices of elections under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81115 addresses the issue of a voter list under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81120 concerns voter eligibility under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81125 concerns election observers under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81130 concerns challenges to voter eligibility under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81135 provides for a tally of ballots under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81140 provides for the resolution of challenges to voter eligibility under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81145 provides for runoff elections under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81150 provides for the filing of objections to an election under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81155 describes powers and duties of a Board agent concerning objections under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81160 provides for the withdrawal of objections under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81165 provides for hearings on objections and challenges under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81170 addresses the filing of exceptions to a decision on objections or challenges under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81175 provides for a revised tally of ballots under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81180 provides for objections to a revised tally of ballots under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81185 provides for a certification of the results of an election or certification of exclusive representative under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81190 concerns a request for stay of election under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81200 concerns bars to the conduct of an election under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81210 provides for the filing of a petition for certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81220 concerns the posting of a notice of a petition for certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81240 provides for the determination of proof of support for a petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81250 provides for the employer response regarding a petition for certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81260 concerns an amendment to a petition for certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81270 concerns the investigation of a petition for certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81300 provides for the filing of a petition for amendment of certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81310 provides for the filing of an employer response to a petition for amendment of certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81320 concerns the investigation of a petition for amendment of certification under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81350 provides for the filing of a decertification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81360 concerns the posting of notice of a decertification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81370 addresses the proof of support determination for a decertification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81380 concerns the investigation and conduct of an election concerning a decertification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81400 provides for the filing of a severance petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81410 concerns responses to severance petitions under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81420 concerns the investigation of a severance petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81450 provides for the filing of a unit modification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81460 provides for a response to a unit modification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81470 addresses the issue of proof of support submitted with a unit modification petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81480 describes possible dispositions of unit modification petitions under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81600 provides for the filing of a petition to rescind an agency shop agreement or provision under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81610 concerns the proof of support determination for a rescission petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81620 concerns the conduct of an election on a rescission petition under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 81630 describes when a bar to the filing of a rescission petition would exist under Chapter 7 for the Trial Court Governance and Employment Protection Act (Government Code section 71600 et seq.).

Proposed section 91000 describes the circumstances under which the Board would conduct representation proceedings and/or agency fee rescission elections under the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), as set forth in Chapter 8.

Proposed section 91005 defines the term "parties" under proposed Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91010 defines the term "window period" under proposed Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91020 describes requirements for proof of support under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91030 allows the withdrawal of a petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91040 provides for the conduct of an informal settlement conference under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91050 provides for a notice of hearing under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91055 concerns the conduct of a hearing and the issuance of a proposed decision under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91060 provides for the issuance of an administrative decision under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91065 provides for elections in consent units under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91070 concerns decisions of the Board itself and provides that procedures under Chapter 8 shall conform to those set forth in Chapter 1 of the Board's regulations.

Proposed section 91075 provides for the issuance of a notice of decision under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91080 concerns the conduct of elections and eligibility to appear on ballot under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91090 provides for “card check” recognition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91100 concerns the authority to conduct elections under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91105 concerns the ballot under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91110 concerns directed election orders, consent election agreements and notices of elections under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91115 addresses the issue of a voter list under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91120 concerns voter eligibility under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91125 concerns election observers under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91130 concerns challenges to voter eligibility under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91135 provides for a tally of ballots under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91140 provides for the resolution of challenges to voter eligibility under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91145 provides for runoff elections under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91150 provides for the filing of objections to an election under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91155 describes powers and duties of a Board agent concerning objections under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91160 provides for the withdrawal of objections under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91165 provides for hearings on objections and challenges under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91170 addresses the filing of exceptions to a decision on objections or challenges under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91175 provides for a revised tally of ballots under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91180 provides for objections to a revised tally of ballots under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91185 provides for a certification of the results of an election or certification of exclusive representative under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91190 concerns a request for stay of election under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91200 concerns bars to the conduct of an election under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91210 provides for the filing of a petition for certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91220 concerns the posting of a notice of a petition for certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91240 provides for the determination of proof of support for a petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91250 provides for the employer response regarding a petition for certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91260 concerns an amendment to a petition for certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91270 concerns the investigation of a petition for certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91300 provides for the filing of a petition for amendment of certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91310 provides for the filing of an employer response to a petition for amendment of certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91320 concerns the investigation of a petition for amendment of certification under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91350 provides for the filing of a decertification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91360 concerns the posting of notice of a decertification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91370 addresses the proof of support determination for a decertification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91380 concerns the investigation and conduct of an election concerning a decertification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91400 provides for the filing of a severance petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91410 concerns responses to severance petitions under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91420 concerns the investigation of a severance petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91450 provides for the filing of a unit modification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91460 provides for a response to a unit modification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91470 addresses the issue of proof of support submitted with a unit modification petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91480 describes possible dispositions of unit modification petitions under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91600 provides for the filing of a petition to rescind an agency shop agreement or provision under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91610 concerns the proof of support determination for a rescission petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91620 concerns the conduct of an election on a rescission petition under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

Proposed section 91630 describes when a bar to the filing of a rescission petition would exist under Chapter 8 for the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.).

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None.

Other non-discretionary cost or savings imposed upon local agencies: None

Costs or savings to state agencies: None

Cost or savings on federal funding to the state: None

Cost impact on private persons or directly affected businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant statewide adverse economic impact on business including the ability of California businesses to compete with businesses in other states: None

Significant effect on housing costs: None

The proposed regulations will not affect small business because they only affect public employers and public employees.

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by it, or otherwise identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office, at the address below. As of the date this notice is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the Initial Statement of Reasons. Copies of these documents and the Final Statement of Reasons may be obtained by contacting Robert Thompson at the address or phone number listed below.

ADOPTION OF PROPOSED REGULATIONS, AVAILABILITY OF CHANGED OR MODIFIED TEXT AND FINAL STATEMENT OF REASONS

Following the hearing, the Board may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text -- with changes clearly indicated -- shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulations and/or the final statement of reasons should be sent to the attention of Robert Thompson at the address indicated below. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INTERNET ACCESS

The Board will maintain copies of this Notice, the Initial Statement of Reasons and the text of the proposed regulations on its web site, found at www.perb.ca.gov, throughout the rulemaking process. The Final Statement of Reasons or, if applicable, notice of a decision not to proceed, will be posted on the web site following the Board's action.

CONTACT PERSONS

Any questions or suggestions regarding the proposed action or the substance of the proposed regulations should be directed to:

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